

Council Chambers  
City Hall, Saskatoon, Sask.  
Monday, April 10, 2006  
at 6:00 p.m.

## **MINUTES OF THE REGULAR MEETING OF CITY COUNCIL**

**PRESENT:** His Worship the Mayor, in the Chair;  
Councillors Alm, Birkmaier, Dubois, Fortosky, Heidt, Hnatyshyn,  
Neault, Paulsen, Penner, and Wyant;  
City Manager Richards;  
City Solicitor Dust;  
General Manager, Corporate Services Bilanski;  
General Manager, Community Services Gauthier;  
General Manager, Fire and Protective Services Bentley;  
General Manager, Infrastructure Services Uzelman;  
General Manager, Utility Services Totland;  
City Clerk Mann; and  
Council Assistant Mitchener

*Moved by Councillor Dubois, Seconded by Councillor Heidt,*

*THAT the minutes of meeting of City Council held on March 27, 2006, be approved.*

**CARRIED.**

*Moved by Councillor Wyant, Seconded by Councillor Paulsen,*

*THAT Council go into Committee of the Whole to consider the reports of the Administration and Committees.*

**CARRIED.**

*His Worship the Mayor appointed Councillor Heidt as Chair of the Committee of the Whole.*

*Council went into Committee of the Whole with Councillor Heidt in the Chair.*

*Committee arose.*

*Councillor Heidt, Chair of the Committee of the Whole, made the following report:*

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*THAT while in Committee of the Whole, the following matters were considered and dealt with as stated:*

**“ADMINISTRATIVE REPORT NO. 7-2006**

**Section A – COMMUNITY SERVICES**

- A1) Municipal Enterprise Zone  
Red Shift Gallery  
118 – 20<sup>th</sup> Street West  
(File No.: PL 4110 – 34 – 45; CK. 3500-15)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

**BACKGROUND**

Purpose of Enterprise Zone

On June 24, 2002, City Council approved the creation of a Municipal Enterprise Zone. The Municipal Enterprise Zone included seven core neighbourhoods and two core industrial areas. The purpose of the Municipal Enterprise Zone is to:

- Encourage businesses to locate or expand their operations in the Municipal Enterprise Zone in order to create more economic activity within this area;
- Encourage property owners and developers to invest in the renovation, expansion, or creation of new housing in the Municipal Enterprise Zone;
- Encourage new investment in the Municipal Enterprise Zone and increase consumer and investor confidence in this area of Saskatoon; and,
- Demonstrate the City of Saskatoon’s commitment to improving conditions in the Municipal Enterprise Zone.

It was noted in 2002 by the Administration that the seven core neighbourhoods and two core industrial areas are at risk of falling further behind the rest of the city in terms of income, job creation, economic opportunity, property values, owner occupancy, and some essential commercial services. An Enterprise Zone is an economic development tool, which can be used to help reduce the deterrents associated with developing in the core. The Municipal Enterprise Zone complements the existing citywide incentive programs already offered by the City of Saskatoon.

On February 27, 2006, City Council renewed the Municipal Enterprise Zone Program with another \$500,000.

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## REPORT

### Description of Project

On April 8, 2004, the Municipal Enterprise Zone Adjudication Committee considered an application from the Red Shift Gallery for a cash grant for improvements at 118 20<sup>th</sup> Street West. (Please refer to Attachments 1 and 2.)

Red Shift Gallery's application for incentives under the Municipal Enterprise Zone was made through the Riversdale BID Office. Riversdale BID conducted a thorough review of the application for the Red Shift Gallery, and has determined that the project warrants consideration for incentives under the Municipal Enterprise Zone. Red Shift Gallery has applied for a one-time cash grant equal to one year of existing property taxes.

Red Shift Gallery will offer gallery space dedicated solely for the Aboriginal arts community. The venue will facilitate the development, presentation, and promotion of new works in media, visual, and performance art by Aboriginal artists. The new gallery is hoping to open in early Spring 2006.

### Reasons for Support

The proposal by Red Shift Gallery will occupy currently vacant space within the Riversdale neighbourhood. This is consistent with the intent of the Municipal Enterprise Zone Program.

During consideration of this application, the Adjudication Committee noted that cash grants equal to one year of existing taxes are listed in the City of Saskatoon Administrative Policy A09-031, Section 3.4 (Municipal Enterprise Zone – Grant in Lieu of Tax Abatement) as an Enterprise Zone Incentive. Tax abatements of up to five years on the incremental taxes are also available through the Municipal Enterprise Zone. Although some interior alterations will be undertaken, the incremental taxes on interior improvements to this building would be negligible. As a result, the incremental tax abatement did not provide a level of incentive needed to adequately assist with this project; therefore, a grant is being requested.

The committee has approved Red Shift Gallery's request for assistance of a one-time grant of not more than \$1,401.82 subject to Red Gallery's completion of the project as outlined in Attachment 1. The Riversdale BID Office will conduct a follow-up inspection to ensure that the project is completed according to the proposal described in Attachment 1. Grants in lieu of tax abatements are limited to no more than one year's worth of existing property taxes.

### Financial Impact

As of February 27, 2006, there was \$503,000 remaining in the account. This application is requesting approval of a grant totalling \$1,401.82, which is well within the means of the Municipal Enterprise Zone Program.

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**PUBLIC NOTICE**

Public Notice, pursuant to Section 3 of the City of Saskatoon Policy C01-021 (Public Notice Policy) is not required.

**ATTACHMENTS**

1. Project Proposal from Red Shift Gallery
2. Location Plan of 118 – 20<sup>th</sup> Street West

**A2) Purchase of 408 and 410 Avenue C South  
River Landing Phase II  
(File No: LA 4020-05-9 and 4020-05-10; CK. 4020-1)**

- RECOMMENDATION:**
- 1) that City Council approve the purchase of the property located at 408 Avenue C South from Ying Hing Eng at a purchase price of \$80,000;
  - 2) that City Council approve the purchase of the property located at 410 Avenue C South from Lawrence Kinal at a purchase price of \$65,000;
  - 3) that the City Solicitor be requested to prepare the necessary purchase agreements and that His Worship the Mayor and City Clerk be authorized to execute the agreements; and
  - 4) that these purchases be financed by a withdrawal from the River Landing Capital Project in the amount of \$145,000, plus other legal costs and disbursements.

*ADOPTED.*

**BACKGROUND**

The River Landing Phase II Concept Plan includes 12 privately owned properties located on Avenue B South and Avenue C South (Attachment 1). The purchase of the two subject properties will complete the land acquisition phase of this project. In preparation for the development of this area, the City will need to demolish all of these existing properties before redevelopment can be fully implemented.

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Property Description

Civic Address: 408 Avenue C South  
Legal Description: Lot 25, Block 31, Plan E5618, Extension 0  
Lot 45, Block 31, Plan 101381004, Extension 47  
Site Size: 455.22 m2 (4,900 square feet)  
Frontage: 10.67 metres (35 feet)  
Depth: 42.67 metres (140 feet)  
Zoning: DCD1  
Improvements: 1,543 square foot two-storey, single-family residence

Terms and Conditions

1. Purchase Price  
Purchase price is \$80,000 and the Purchaser is a GST registrant and therefore Seller shall not collect GST. This is comprised of \$67,000 in consideration of real property and \$13,000 in compensation for moving costs, disturbance and inconvenience.
2. Conditions Precedent  
The approval of City of Saskatoon City Council by April 11, 2006, authorizing the purchase of the subject properties.
3. Legal Costs and Disbursements  
The purchaser shall be responsible for legal costs.
4. Closing Date  
May 31, 2006. Vacant possession upon Closing Date.
5. Possession Date  
May 31, 2006.

Property Description

Civic Address: 410 Avenue C South  
Legal Description: Lot 26, Block 31, Plan E5618, Extension 0  
Site Size: 325.16 m2 (3,500 square feet)  
Frontage: 7.62 metres (25 feet)  
Depth: 42.67 metres (140 feet)  
Zoning: DCD1  
Improvements: 1,018 square foot two-storey, single-family residence

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Terms and Conditions

1. Purchase Price  
Purchase price is \$65,000 and the Purchaser is a GST registrant and therefore Seller shall not collect GST. This is comprised of \$55,000 in consideration of real property and \$10,000 in compensation for moving costs, disturbance and inconvenience.
2. Conditions Precedent  
The approval of City of Saskatoon City Council by April 11, 2006, authorizing the purchase of the subject property.
3. Legal Costs and Disbursements  
Each party is responsible for its own legal costs.
4. Closing Date  
May 31, 2006. Vacant possession upon Closing Date.
5. Possession Date  
May 31, 2006.

The funding source for the purchase of these properties is the River Landing Capital Project in the amount of \$145,000 plus legal fees and related disbursements.

**PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**ATTACHMENT**

1. Map Showing Subject Properties.

**A3) Enquiry – Councillor M. Heidt (March 7, 2005)  
Safe House – Avenue S South  
(File No. CK 280-5, LS 225-30)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

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**BACKGROUND**

During its March 7, 2005 meeting, City Council received correspondence from Frances Farness-Petit and Alice Farness asking for information about the operations at the Safe House located in an inner city neighborhood and the amount of taxpayers' money being spent for this project. (See Attachments 1 and 2.)

In response to receiving the letters, Councillor Heidt made the following enquiry:

“Would the Administration please provide Council with an update of the status and statistics, also the use and how are the costs distributed, and what is City Council's share.”

**REPORT**

The Safe House referred to in the communications to City Council is located in an inner city neighbourhood and was first opened in 1998. The Safe House provides temporary shelter and counselling services to child victims or those at risk of sexual abuse and sexual exploitation. The Safe House provides assessment services and a place where their basic needs can be addressed in order to stabilize these children and to develop a case management strategy in conjunction with other agencies and services to meet the child's present/future need. The residential facility is able to house five children/youth for stays ranging from one hour up to a maximum of 30 days. This Safe House is operated by the Saskatoon Tribal Council Urban First Nations Services Inc. and is funded by the Department of Community Resources & Employment (DCRE), the Saskatoon Health Region, and Saskatchewan Department of Justice.

For the information of Council, the annual report for 2005 is attached and describes the status of the safe house, the statistics for the use, and details of how the costs are distributed. (See Attachment 3.) The annual financial statement confirms City Council does not have a share in the costs of operating this facility. For additional reference information on the operations of the Safe House, the Administration also received copies of the Safe House's annual reports for 1998 through to 2004. These reports will be filed with the City Clerk's Office.

**COMMUNICATIONS PLAN**

A copy of this report will be shared with Frances Farness-Petit and Alice Farness.

**PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

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**ATTACHMENTS**

1. Letter from Frances Farness-Petit – dated February 25, 2005
2. Letter from Alice Farness
3. Safe House Annual Report - 2005

**A4) Communications to Council**

**From: John B. Benesh**

**Date: January 19, 2006**

**Subject: Request to Waive Admission to Zoo for Harvest Fest Celebration  
September 16, 2006**

**(File No. CK. 5800-2, CK. 205-1, LS 1720-5, LS 4206-FO-1)**

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**RECOMMENDATION:** that the report be received as information.

*ADOPTED.*

**BACKGROUND**

During its February 13, 2006 meeting, City Council received a letter from John B. Benesh requesting to waive admission fees to the Zoo on September 16, 2006 for the Harvest Fest Celebration. (See Attachment 1.)

City Council resolved:

“that the letter be referred to Administration for a report.”

**REPORT**

The Saskatoon Forestry Farm Park and Zoo (SFFP&Z) collects zoo admission revenue from April 15 to October 15 each year. The only time of the year when admission is not collected is during the winter months when access is free for customer appreciation. We also offer the citizens of Saskatoon one free access day during the summer season. This year’s free access day is scheduled for June 23, 2006. The Kinsmen Club and Saskatoon Zoo Society are active participants in this event, presenting both educational interactions and family entertainment to our guests. In preparing the 2006 operating budget, the Saskatoon Forestry Farm Park and Zoo administration did not make a provision for an additional free access day.

Your administration has been in discussion with the Harvest Fest Committee since December 2005 to explore the option of a one time only bulk admission rate at the SFFP&Z for September 16, 2006. On February 16, 2006 a meeting was held between a member of the Harvest Fest Committee and the Zoo Facility Supervisor to discuss a bulk daily admission rate for the Harvest Fest Celebration day. Your administration proposed to the committee a bulk daily rate of \$1,000, which represents average



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revenue for the facility for the third Saturday in September. It was further proposed that in the event of rain, the rate would be adjusted to reflect actual attendance to a maximum of \$1,000; sunshine will guarantee the negotiated rate of \$1,000 with no provision based on actual attendance. The organizing committee for the Harvest Fest Celebration indicated to your administration that they are in agreement with the proposed daily rate.

For the information of City Council, the General Manager of Community Service Department has also reviewed the proposal and approved the negotiated bulk daily rate of \$1,000 for the 2006 Harvest Fest Celebration. (See Attachment 2.)

As a point of reference, admission revenue at the SFFP&Z for the corresponding dates over the last two years has averaged \$1,029.12. Factoring in the admission price increase for the 2006 season, we projected admission revenue between \$999.50 and \$1,334.25 for the day while the three-year average revenue for the corresponding date is projected between \$1,019.25 and \$1130.83. It is important to note, the anticipated revenue for the day can be significantly reduced by poor weather conditions and only marginally increased with favourable weather conditions.

Further to the discussions on a bulk daily admission rate, your administration also explored granting opportunities the Harvest Fest Committee could apply for to cover the anticipated revenue for the facility and discovered the submission deadline has already passed for any applicable grants.

### **COMMUNICATIONS PLAN**

A copy of this report will be shared with the organizing committee of the 2006 Harvest Fest Celebration.

### **ATTACHMENTS**

1. Letter from John B. Benesh dated January 19, 2006
2. Memo to Paul Gauthier requesting approval of the bulk daily admission rate for the September 16, 2006 Harvest Fest Celebration.

#### **A5) Bethany Manor – Saskatoon Mennonite Care Services (File No. CK. 1870-1, CK. 750-1, PL. 951-28)**

**RECOMMENDATION:** 1) that City Council approve additional funding of up to \$90,470 to the Saskatoon Mennonite Care Services for the new construction of a 56-unit apartment building for low-income seniors; and,

- 2) that this additional funding be identified as the City of Saskatoon's share of funding for the Saskatchewan Centenary Affordable Housing Program.

*ADOPTED.*

### **BACKGROUND**

During its October 3, 2005 meeting, City Council resolved:

- “1) that funding of up to \$189,530 be approved to the Saskatoon Mennonite Care Services for the new construction of a 45-unit apartment building for low-income seniors; and,
- 2) that this funding be identified as the City of Saskatoon's share of funding for the Saskatchewan Centenary Affordable Housing Program.”

Saskatoon Mennonite Care Services (SMCS) had applied, and was approved for \$189,530 of funding under the City of Saskatoon's Policy C09-002 (Innovative Housing Incentives). Subsequent to this approval, they had detailed drawings produced and the cost of the project came in at significantly more than originally forecast.

SMCS has applied for additional funding from the Province under the Centenary Affordable Housing Program (CAHP), and is now applying for additional funding from the City of Saskatoon. (See Attachment 1.) Additional funding from the Province under CAHP has been approved.

### **DISCUSSION**

According to the Province, the increased costs for this project are attributed to the increase in construction costs. (See Attachment 2). The increase in the costs for both labour and material is a concern that has been expressed to your City Administration by many housing proponents and suppliers. Your Administration has also experienced this directly through many of the planned civic projects in the past year.

The project has been redesigned, and a fixed price construction contract has been negotiated for the construction of the new design. The Saskatchewan Housing Corporation has approved the changes and identified in a memo to the City of Saskatoon exactly what those changes are. (See Attachment 2.)

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The Saskatchewan Housing Corporation has approved additional funding for this project. Saskatoon Mennonite Care Services Inc. has also increased their contribution to the project, and is now asking the City of Saskatoon to increase its contribution under the CAHP Agreement with the Province.

The table below identifies the details of the original approved application and the changes identified in the new application.

## Original CAHP Commitment and Request for Increase

	Original CAHP Application	Total Dollars Committed	New CAHP Application	Total Dollars Requested for Project	Additional funds requested
SK Housing Corp Life Lease Units	26 x \$40,000	\$1,040,000	46 x \$50,000	\$2,300,000	\$10,000/unit
SK Housing Corp Affordable Rental Units	20 x 42,765	\$ 855,300	10 x \$50,000 (under CAHP new const. projects currently eligible for \$50,000 per door)	\$ 500,000	\$7,235/unit
Total Dollars	Original Commitment	\$1,895,300	Revised Commitment	\$2,800,000	\$904,700
Saskatoon Mennonite Care Services Contribution (Land and Cash)	Original Commitment	\$585,500	Revised Commitment	\$715,557	\$130,057 \$2,322/unit
Municipal Portion	Original Commitment	\$189,530 \$4,120/unit	Revised Commitment	\$280,000 \$5,000/unit	\$90,470
Total Units	46		56		

To reach the targeted number of units and still maintain the affordability of the project, the project footprint has also changed. Originally a two-story building, the proposed project now has a smaller building footprint and are four stories in height. These changes are all permitted under the current zoning and have been checked with the Development Services Branch. Thirty-nine stalls of underground parking have also been added and is a change from the 27 surface parking stalls in the original application.

## JUSTIFICATION

The Saskatoon Mennonite Care Service's (SMCS) revised Bethany Manor Project fits the City of Saskatoon's requirements under the Innovative Housing Policy. There has been no change in the intent or spirit of the project. SMCS continues to be committed to supplying quality, affordable housing to those in need in Saskatoon.

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The project still fits the vision of the original application, of [meeting] “identified needs in the community for affordable housing for low-income seniors as identified in Saskatoon’s community plan on homelessness and housing. It also addresses a significant waiting list for seniors housing that the proponent has already identified.”

### **OPTIONS**

1. Provide funding up to \$90,470 in additional funding based on the proposed cost-sharing agreement in the Saskatchewan Centenary Affordable Housing Program.
2. Decline to fund this increase. This option would likely eliminate this project for consideration under the Saskatchewan Centenary Affordable Housing Program, which requires a commitment of city funds. There does not appear to be any other funding sources available at this time.

Your Administration is recommending Option 1.

### **POLICY IMPLICATIONS**

There are no policy implications.

### **FINANCIAL IMPACT**

If the additional funding of Option 1 were approved, the resulting balance in the Affordable Housing Reserve would be \$736,253.82. (See Attachment 3.) This takes into account previously approved but unexpended funding from the reserve and contributions from the Property Realized Reserve to December 2005.

The original request for funding that has already been approved is accounted for in the Affordable Housing Reserve.

### **PUBLIC NOTICE**

Public Notice, pursuant to Section 3 of Policy No. C01-021 (Public Notice Policy), is not required.

### **ATTACHMENTS**

1. Revised application for Bethany Manor
2. March 30, 2006, memo from Saskatchewan Housing Corporation
3. Affordable Housing Reserve update

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**A6) Enquiry – Councillor E. Hnatyshyn (March 13, 2006)  
Zoning Requirements – Licensed Beverage Room  
(File No. CK. 4350-1)**

**RECOMMENDATION:** that the information be received.

*IT WAS RESOLVED: that the matter be considered with Item A1 of Communications to Council.*

**A7) Land-Use Applications Received by the Community Services Department  
For the Period Between March 17, 2006 and March 30, 2006  
(For Information Only)  
(File Nos. PL. 4355, 4350, 4300; CK. 4000-5)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

The following applications have been received and are being processed:

Discretionary Use

- Application No. D4/06: 1635 Avenue D North  
Applicant: George Jabour  
Legal Description: Lots 1-3, Block D, Plan G215  
Current Zoning: R2  
Proposed Use: Care Home for 10 Residents  
Neighbourhood: Mayfair  
Date Received: March 29, 2006

Rezoning

- Application No. Z5/06: Hampton Boulevard/Gate and Denham Crescent  
Applicant: Dundee Developments  
Legal Description: Lot 1, Block 961, Plan 101877228, P. NW 1/4 6-37-5-W3M, Ext 7 & Pt of NE 1/4 6-31-5W3M  
Current Zoning: R1A  
Proposed Zoning: R2, RMTN and B1B  
Neighbourhood: Hampton Village  
Date Received: March 16, 2006

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- Application No. Z6/06: Galloway Road  
Applicant: Dundee Developments  
Legal Description: Pt. Block A, Plan 101390655, Pt. 10-36-5-W3M  
Current Zoning: R1A  
Proposed Zoning: R1B  
Neighbourhood: Stonebridge  
Date Received: March 16, 2006

**Subdivision**

- Application No. 13/06: Gardiner Place/Egbert Avenue  
Applicant: Webb Surveys for Various Owners  
Legal Description: Lots 1, 2, 8, 9 & 11, Block 951, Plan 78S07845  
Current Zoning: R2  
Neighbourhood: Sutherland  
Date Received: March 16, 2006
- Application No. 14/06: 112 Montreal Ave N. and 111 Witney Avenue S.  
Applicant: Webb Surveys for Saskatoon Pleasant Hill  
Mennonite Church  
Legal Description: Lots 11, 12, 15, 16, 17 & 18, Block 4, Plan G180  
Current Zoning: R2  
Neighbourhood: Mount Royal  
Date Received: March 21, 2006
- Application No. 15/06: Utility Easement South of Wanuskewin Road and  
North of Silverwood Heights Neighbourhood  
Applicant: George Nicholson Franko for City of Saskatoon  
Legal Description: Utility right-of-way through Parcels B, C and M1,  
Plan 85S85S42613; Lot 1, Block 5, Lot 1, Block 268,  
MB1, MB2, MB4, MR2, MR3, MR4, and Lane, Plan  
No. 101876092  
Current Zoning: IL3 and AG  
Neighbourhood: Marquis Industrial Phase I  
Date Received: March 21, 2006
- Application No.16/06: 71<sup>st</sup> Street/Millar Ave.  
Applicant: Murray Marien for City of Saskatoon  
Legal Description: Parcels A, B, C, Plan 101885755  
Current Zoning: IH  
Neighbourhood: Marquis Industrial  
Date Received: March 23, 2003

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- Application No.17/06: Wanuskewin Road/Wheeler Avenue  
Applicant: George, Nicholson, Franko for City of Saskatoon  
Legal Description: MB3, MB4, Lot 1, Block 271, Plan 101876092  
Current Zoning: IL3  
Neighbourhood: Marquis Industrial  
Date Received: March 29, 2003

## **PUBLIC NOTICE**

Public Notice, pursuant to Section 3 of Policy No. C01-021 (Public Notice Policy), is not required.

## **ATTACHMENTS**

1. Plan of Discretionary Use D4/06
2. Plan of Proposed Rezoning Z5/06
3. Plan of Proposed Rezoning Z6/06
4. Plan of Proposed Subdivision 13/06
5. Plan of Proposed Subdivision 14/06
6. Plan of Proposed Subdivision 15/06
7. Plan of Proposed Subdivision 16/06
8. Plan of Proposed Subdivision 17/06

## **Section B – CORPORATE SERVICES**

### **B1) Communications to Council**

**From: Brian Sutherland**

**Date: February 12, 2006**

**Subject: Level of Taxation on Annexed Farm Land**

**(File No. 1920-1)**

**RECOMMENDATION:** that City Council agree to enter into an agreement with Mr. Sutherland that places him in a similar property tax situation as he was prior to annexation, and that the City Solicitor be instructed to prepare the necessary agreement and bylaw.

*ADOPTED.*

## **REPORT**

At its meeting held on February 27, 2006, Council received the above correspondence dated February 12, 2006, with respect to the level of taxation on annexed farm land. This matter was referred to Administration for a report back to Council.

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The correspondence from Mr. Sutherland is a result of the tax impact of the recent annexation of West Sector properties. A number of properties were annexed into the city from the adjacent Rural Municipality of Corman Park with an effective date of January 1, 2005. Supplementary notices and tax bills for 2005 were issued by the City of Saskatoon in the fall of 2005.

The R.M. of Corman Park falls under *The Municipalities Act* in regards to the assessment and taxation of farmlands. Under that *Act*, dwellings that are situated outside of a hamlet are exempt from taxation if the assessed value of the dwelling is less than the total assessment of all land owned or leased by the owner of the dwelling. If the assessed value of the dwelling is greater than the assessed value of land, then only the amount of the dwelling assessment that exceeds the land assessment is subject to taxation. The total land assessment of Mr. Sutherland's property is greater than the assessment for the dwelling; therefore, the dwelling was exempt from taxation in 2004 (when taxes were levied by the R.M. under *The Municipalities Act*).

There is no similar provision under *The Cities Act*. The City of Saskatoon is required to follow the legislated directives of *The Cities Act* in regard to assessment and taxation of properties. There is no automatic exemption on the dwelling as is afforded under *The Municipalities Act*.

The annexed properties owned by Mr. Sutherland increased in taxes by over 37% (\$5,245 in 2005 compared to \$3,820 in 2004) as a result of the loss of the exemption available to the property owner before annexation. Overall, the assessments did not change substantially due to the annexation.

Your Administration has been in discussions with the writer and has informed him of the reason for the change in the tax burden. It is our understanding that the writer has also been in contact with the Provincial Government Department (Government Relations) in relation to this issue.

Section 168 of *The Cities Act* allows City Council to enter into an agreement on a parcel of land if that land is used exclusively for farming purposes, and if the principal occupation of the assessed owner of that land is farming. This section allows Council, by agreement, to either set a fixed amount of assessment or a fixed amount of taxation on these properties. The issue in respect of Mr. Sutherland's property is not the level of assessment; it is the loss of the exemption to taxation.

In this circumstance, the total land area is just over 129 hectares (approximately 320 acres) and it is your Administration's understanding that the land is used exclusively for farming and that the owner's principal occupation is farming.

An agreement entered into by Council can be for any period up to five years. It is important to note that an agreement is deemed to be terminated or void should additional structures be placed on the land, if any portion of the land is used for any purpose other than farming, the ownership of the land becomes less than the required hectares or any part of the land is subdivided into lots.



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Section 168 also allows for the owner of the land to petition the appeal board to adjudicate the matter should Council not enter into an agreement. The appeal board may make a ruling with the same outcome as proposed in the agreement.

**OPTIONS**

The first option available to City Council would be to maintain the current level of taxation, which would result in no financial impact to the City; however, this would not address the concerns of Mr. Sutherland.

The second option available to City Council would be to enter into an agreement with Mr. Sutherland for a level of taxation that places him in a position similar to the level of taxation prior to annexation of the property into the City of Saskatoon. As the total land value of the properties owned and farmed by Mr. Sutherland exceeds the value of the residence, under *The Municipality Act* the dwelling would be exempt from taxation. Based on the current assessment on the dwelling, the financial impact of providing a similar relief would be approximately \$2,416 per year of the agreement.

**PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**ATTACHMENT**

1. Communication to Council dated February 12, 2006, from Brian Sutherland.

**B2) Communications to Council**

**From: Jay Bridges**  
**Date: January 17, 2006**  
**Subject: Off-Leash Dog Park – Glasgow Street and Clarence Avenue**  
**and**  
**Enquiry - Councillor T. Alm (February 13, 2006)**  
**Off Leash Dog Parks**  
**(File No. 151-6; CK. 152-4)**

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**RECOMMENDATION:** that the information be received.

*ADOPTED.*

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The following report is in response to a Communication to Council from Jay Bridges dated January 17, 2006, requesting the City to install gates on the two entrances to the off-leash dog park situated on Glasgow Street on the south end of Clarence Avenue, and also to the following enquiry made by Councillor Alm during City Council's February 13, 2006, meeting:

“Would Administration please investigate the possibility of installing gates on the entrances into the off leash dog parks at Glasgow Street.”

### **REPORT**

Your Administration has investigated the following considerations related to this enquiry:

- Bylaw No. 7860, The Animal Control Bylaw, requires that dogs must not be running at such a distance from the owner so as to be incapable of responding to voice or sight commands whereby they become a nuisance to others in the area. In other words, the owner must be able to control their dog, therefore, theoretically negating the need for gates on entrances to an off-leash area.
- A safety issue exists where a dog running beyond the control of their owner can exit the off-leash area and cause problems outside the off-leash area.

There are likely to be, from time to time, dog owners using the Avalon off-leash area who inadvertently lose control of their animal or never really have proper control over their animal. Given this reality, potential safety issues must be addressed as a complement to the spirit and intent of the applicable bylaw.

To minimize the risk where an owner has not been able to control their unrestrained dog and the dog exits the off-leash area through an entranceway, one-way gates will be installed at each entranceway to the Avalon off-leash area. The per-gate cost for purchase and installation is \$225 plus GST. There are three entranceways to the Avalon off-leash area making the total cost of this undertaking \$675 plus \$47.25 in GST. Installation will be completed by the end of May 2006. Funds are available within the 2006 operating budget to accommodate this request.

### **PUBLIC NOTICE**

Public Notice, pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

### **ATTACHMENT**

1. Communication from Jay Bridges dated January 17, 2006.

**Section D – INFRASTRUCTURE SERVICES**

**D1) 2006 Capital Budget  
 Capital Project No. 2018  
 Circle Drive/Clarence Avenue Grade Separation  
 Engineering Services Agreement  
 (File No. 6005-44; CK. 6001-1)**

- RECOMMENDATION:**
- 1) that the proposal for services submitted by Wardrop Engineering Inc. for the detailed design of the Circle Drive/Clarence Avenue interchange structure for a total cost of \$159,646.01 including G.S.T. and P.S.T. be accepted; and
  - 2) that the City Solicitor be instructed to prepare the necessary Engineering Services Agreement for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

*ADOPTED.*

Infrastructure Services issued a request for proposals for the detailed design of the interchange structure as part of the proposed Circle Drive/Clarence Avenue interchange. Proposals were received from six qualified consulting engineering firms, which are listed below:

Stantec Consulting Ltd. 303 - 1919 Rose Street Regina, SK	UMA Engineering Ltd. 200 - 2100 8 <sup>th</sup> Street East Saskatoon, SK	Earth Tech (Canada) Inc. 2629 - 29 <sup>th</sup> Avenue Regina, SK
NDLea and Associates Ltd. 111 - 93 Lombard Avenue Winnipeg, MB	Wardrop Engineering Inc. #1400-410 22 <sup>nd</sup> Street East Saskatoon, SK	Associated Engineering 1 – 2225 Northridge Drive Saskatoon, SK

After a systematic evaluation of the proposals, staff rated the submission from Wardrop Engineering Inc. as ranking highest within a rating matrix which evaluated both the proposal and the relative price. The net cost to the City for the proposal from Wardrop is as follows.

Base Fees	\$ 145,908.00
Optional Load Rating Chart	\$ 10,454.40
P.S.T. (7% of 30%)	\$ 3,283.61
G.S.T.	<u>\$ 10,945.37</u>
Total Fees	\$ 170,591.38
G.S.T. Rebate	<u>\$ (10,945.40)</u>
Net Cost to City	<u>\$ 159,646.01</u>

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The scope of the proposals is for an overpass structure, with the provision that if the City elects to build an underpass the change in fees (if any) would be negotiated based on the change in scope.

On February 27, 2006, the recommendation “that City Council approve funding of the overpass at Clarence Avenue and Circle Drive as outlined in this report...” was carried, and as such, sufficient funding is in place to allow for the detailed design of the interchange structure to proceed.

**PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required

**D2) Proposed Two Hour Parking Restriction  
Avenue C between 40<sup>th</sup> Street and Circle Drive  
(File No. 6120-3; CK. 6120-2)**

**RECOMMENDATION:** that a “Two Hour, 09:00 – 18:00, Monday to Saturday” parking restriction be implemented on both sides of Avenue C from 40<sup>th</sup> Street to Circle Drive.

*ADOPTED.*

**REPORT**

Infrastructure Services has received numerous complaints regarding vehicles parking for periods longer than 36 hours on both sides of Avenue C between 40<sup>th</sup> Street and Circle Drive.

Infrastructure Services investigated these complaints in May of 2005 and identified approximately 10 vehicles that were being stored on Avenue C between 40<sup>th</sup> Street and Circle Drive. Of those 10 vehicles, eight were issued citations for parking for a period longer than 36 hours. Infrastructure Services has now received additional complaints regarding long term parking at this same location, and upon review, identified an additional 10 vehicles being stored on Avenue C between 40<sup>th</sup> Street and Circle Drive. Of the 10 vehicles that were identified, nine were issued citations for being parked for a period longer than 36 hours.

Infrastructure Services surveyed the surrounding six businesses that would be affected by a parking restriction on Avenue C between 40<sup>th</sup> Street and Circle Drive as to whether or not they were in agreement with the proposed parking restrictions. Table 1 lists the results of that survey.

**Table 1 – Proposed Parking Restriction Survey Results**

<b>Business</b>	<b>Yes</b>	<b>No</b>
Co-op Lumber Yard	Y	
Royal Bank	Y	
Sasknative Rentals	Y	
Continental Auto Body	Y	
Millennium Auto Body (a division of Thoen’s Auto)		N
Thoen’s Classic Auto Rentals		N

Infrastructure Services is recommending that a “Two Hour, 09:00 – 18:00, Monday to Saturday” parking restriction be installed, as shown on Plan No. 210-0039-013r001 (Attachment 1). These restrictions will alleviate the long-term parking and assist customers of local area businesses in finding available parking stalls.

**PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**ATTACHMENT**

1. Plan No. 210-0030-010r004

**Section E – UTILITY SERVICES**

- E1) 2006 Capital Budget  
 Capital Project 1245  
 Grit & Screen Facility Upgrade – Wastewater Treatment Plant  
 Award of Engineering Services  
 (File No. 7990-55-1; CK. 7920-1)**

**RECOMMENDATION:** 1) that the proposal for engineering services for the Grit & Screen Facility Upgrade at the Wastewater Treatment Plant, from Stantec Consulting Ltd., for a total upset fee of \$800,654.81 (including G.S.T. and P.S.T.) be accepted; and

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- 2) that the City Solicitor be instructed to prepare the necessary Engineering Services Agreement for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

*ADOPTED.*

As part of the long-term capital improvement plan at the Wastewater Treatment Plant, the 2006 Capital Budget includes funding of \$5,968,000 for the upgrade and expansion of the Grit & Screen Facilities – Project 1245. The current grit and screen facilities are undersized and at times experience overloading. Also, the existing degritting process has been identified as one of the major sources of odours. The upgrade to these facilities is based on recommendations presented in the Grit & Screening Evaluation Study prepared in 2005.

This project will result in the relocation of the existing self-cleaning mechanical bar screens upstream of the grit handling system. The existing grit chambers will be modified to accommodate a new, more efficient grit removal system that will classify, separate and dewater grit for final disposal at the landfill. Also, this new degritting process will produce significantly less odours and the new equipment will be housed in suitably constructed buildings further reducing odour emissions.

In February of 2006, four consulting firms were invited to submit proposals for engineering services. Proposals were received from the following three firms:

- Associated Engineering (Sask.) Ltd.
- Stantec Consulting Ltd.
- EarthTech Canada Inc.

The Staff of the Engineering Services Branch evaluated the submitted proposals. After a systematic evaluation of the submissions was completed, the proposal from Stantec Consulting Ltd. was found to be the most favorable.

The upset fee for the Engineering Services is as follows:

Basic Upset Fee	\$741,126.00
P.S.T. (7% of 30% of Design)	7,649.99
G.S.T. @ 7%	51,878.82
Contract Amount	\$800,654.81
G.S.T. Rebate @ 7%	<u>(\$51,878.82)</u>
Net Cost to the City	<u>\$748,775.99</u>

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Capital Project 1245 has sufficient approved funding allocated within the total project funding to allow this engineering services proposal to be accepted.

**PUBLIC NOTICE**

Public Notice, pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**E2) Enquiry – Councillor D.L. Birkmaier (December 16, 2005)  
Impact of Increased Costs to Purchase Power from SaskPower  
(File: CK. 1905-3)**

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**RECOMMENDATION:** that the information be received.

**BACKGROUND**

At the meeting of City Council held on December 16, 2005, Councillor D.L. Birkmaier made the following enquiry:

“Would the Administration please report the impact of the increased costs to the City of Saskatoon for the purchase of power from SaskPower.

What impact will this have on the mill rate?”

**REPORT**

On January 1, 2006, SaskPower raised electrical rates in Saskatchewan an average of 4.9%. As part of this increase, the reseller rate, the rate that Saskatoon Light & Power (SL&P) pays SaskPower for bulk power, was increased by 7.5%. These increases impact the City’s finances in two ways – one from a corporate perspective, the other from our utility’s perspective.

As a result of this rate increase, the City of Saskatoon will realize a net positive mill rate impact of approximately \$1,178,300. The City will benefit from higher revenues generated by municipal surcharges and grants-in-lieu of taxes for electricity sold in both the SaskPower and Saskatoon Light & Power service areas in the amount of approximately \$1,048,000. In addition, the 14.1% street light rate reduction will result in a \$548,400 savings to the City. However, offsetting these positive impacts is an estimated decline in SL&P’s return on investment of \$418,100.

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As shown on Attachment 1, Saskatoon Light & Power will experience reduced net earnings as increased revenues of \$5,067,600 are insufficient to offset \$4,332,400 higher power purchase costs, \$677,800 higher grants-in-lieu-of taxes (SL&P pays the City of Saskatoon the same amount as the City would receive if SaskPower served these customers), and an estimated \$475,500 of other net operating cost increases. In effect, the City of Saskatoon has been penalized for owning its electrical utility (i.e. the City would have a net gain of \$1,596,400 if it did not own Saskatoon Light & Power). To illustrate this, the City of Regina, which does not own an electrical utility will realize the positive impacts of the higher municipal surcharges and grants in lieu of taxes and lower street lighting costs, but not have to use any of these gains to offset lower utility earnings.

The Administration is currently in negotiations with SaskPower with the intent to secure a long-term bulk power purchase agreement.

**PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**ATTACHMENT**

1. Saskatoon Light & Power - Revenues & Expenditures 2006 Budget vs. 2005 Budget

*IT WAS RESOLVED: that the information be received and referred to the Budget Committee.*



**REPORT NO. 7-2006 OF THE PLANNING AND OPERATIONS COMMITTEE**

Composition of Committee

Councillor D. L. Birkmaier, Chair  
Councillor O. Fortosky  
Councillor E. Hnatyshyn  
Councillor M. Neault  
Councillor G. Wyant

1. **Communications to Council**  
**From: Lynn Kwasnica-Doll**  
**Date: Traffic Speed Concerns in Montgomery**  
**And**  
**Enquiry – Councillor O. Fortosky (September 6, 2005)**  
**Intersection of 11<sup>th</sup> Street West and Elevator Road**  
**(Files CK. 6002-1 and 5200-1)**

**RECOMMENDATION:** that four-way stop signs be installed at the intersection of 11<sup>th</sup> Street West and Elevator Road as outlined in Plan No. 204-306-001r004 (Attachment 1 of the March 22, 2006 report of the General Manager, Infrastructure Services Department).

*ADOPTED.*

Attached is a copy of the report of the General Manager, Infrastructure Services Department dated March 22, 2006, with respect to the above matter.

Your Committee reviewed the report and supports the recommendation of the Administration, as outlined above.

Also attached is a copy of the above-noted letter from Ms. Kwasnica-Doll.

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- 2. Walkway Closure – Cypress Court and Chitek Court  
And  
Communications to Council  
From: Gwenn Crossman  
Date: November 8, 2005  
Subject: Vandalism  
(File No. CK. 6295-1)**
- 

**RECOMMENDATION:** that Infrastructure Services continue the process to close the north-south walkway as shown on Plan 242-0002-001r001 (Attachment 1 of the March 24, 2006 report of the General Manager, Infrastructure Services Department), with the application fee for the property owners reduced to \$300 and the land fee remaining at \$1,000.

*ADOPTED.*

Attached is a copy of the report of the General Manager, Infrastructure Services Department dated March 24, 2006, with respect to the possible closure of the north-south walkway between Cypress Court and Chitek Court.

Your Committee has reviewed the matter with the Administration and has received presentations in support of the closure. Following consideration of this matter, your Committee supports the recommendation for the Administration to continue the process to close the north-south walkway at this location.

**REPORT NO. 7-2006 OF THE ADMINISTRATION AND FINANCE COMMITTEE**

Composition of Committee

Councillor G. Penner, Chair  
Councillor T. Alm  
Councillor B. Dubois  
Councillor M. Heidt  
Councillor T. Paulsen

**1. Leaves and Grass Subscription Program  
(File No. CK. 7830-1)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

Attached is a copy of the report of the General Manager, Utility Services Department dated March 23, 2006 containing information on the Leaves and Grass Subscription Program.

Your Committee has reviewed this report with the Administration, and supports the continuation of the Program, as outlined in the report.

**2. Enquiry – Councillor E. Hnatyshyn (December 16, 2005)  
Parking Surfaces at Parks  
(File No. CK. 4205-1)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

The following enquiry was made by Councillor Hnatyshyn at the meeting of City Council held on December 16, 2005:

“Would the Administration please report on which city parks have paved parking and which parks provide unpaved parking.”

At its meeting held on January 23, 2006, City Council considered Clause D4, Administrative Report No. 2-2006 in response to this enquiry, and adopted the following motion:

that the matter be referred to the Administration to enquire with the Meewasin Valley Authority regarding the possibility of sharing the responsibility of providing

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asphalt in parks along the riverbank and report to the Administration and Finance Committee.

Attached is a copy of the report of the General Manager, Infrastructure Services Department dated March 16, 2006, in response to Council's resolution. Your Committee has reviewed this report with the Administration, and is pleased with their findings.

**3. Property Tax Exemption  
#602 (Lynx) Wing R.C.A.F. Association Establishment  
(File No. CK. 1965-1)**

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- RECOMMENDATION:**
- 1) that #602 (Lynx) Wing Saskatoon R.C.A.F. Association be granted a property tax exemption on the basis that all other veterans organizations have been exempted under Section 262 of *The Cities Act*; and
  - 2) that the City Solicitor be requested to prepare the appropriate Bylaw to provide for this property tax exemption.
  - 3) that the following resolution passed by City Council at its meeting held on November 15, 2004 (Clause 3, Report No. 13-2004 of the Administration and Finance Committee) be rescinded:
    - "5) that #602 (Lynx) Wing Saskatoon R.C.A.F. Association be transferred to the phase-out program of Corporate Services for organizations not considered eligible for grant programs."

Attached is a copy of the report of the City Manager dated March 6, 2006, on the above matter. Also attached are copies of the following documents providing background information:

- excerpt from the minutes of the meeting of City Council held on June 13, 2005, where the matter was referred to the City Manager.
- Clause 1, Report No. 1-2005 of the Administration and Finance Committee which was adopted by City Council at its meeting held on January 17, 2005.
- Clause 3, Report No. 13-2004 of the Administration and Finance Committee which was DEALT WITH AS STATED by City Council at its meeting held on November 15, 2004, in part, as follows:
  - 5) that #602 (Lynx) Wing Saskatoon R.C.A.F. Association be transferred to the phase-out program of Corporate Services for organizations not

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considered eligible for grant programs.

The R.C.A.F. Association pointed out that all other veterans' organizations have been exempted from property taxes under Section 262 of *The Cities Act*, and they requested a letter of support from City Council to approach the Province for the same exemption. The Province advised the Association that property tax exemptions are under the City's jurisdiction and the Association subsequently requested that the City re-evaluate their application. City Council considered this request at its meeting held on June 13, 2005 and the matter was referred to the City Manager.

Your Committee has met with a representative of the R.C.A.F. Association and has determined that this property is located on the former Saskatoon Airforce Base, and therefore was exempt from taxation until 1999 when the Base was closed. From that time until now, they have received an annual property tax exemption from the City. City Council's decision on November 15, 2004 to transfer this property to the phase-out program has placed them into a position whereby they are the only veterans' organization without a tax exempt status. The Association is actively involved in providing assistance to veterans and cadets, and indicated to the Committee that it would not be able to fulfill its mandate if it had to pay the taxes on this building (\$5,763).

Your Committee supports this request for property tax exemption on the basis that all other veterans' organizations are exempt from property taxation. Should any new application for property tax exemption come forward from a veterans' organization, the Committee would review the application for eligibility on its own merit.

Council will note that this property tax exemption would need to be granted on an annual basis according to Section 262(3) of *The Cities Act*, which states:

“a council may exempt any property from taxation in whole or in part with respect to a financial year.”

*IT WAS RESOLVED: 1) that the following resolution passed by City Council at its meeting held on November 15, 2004 (Clause 3, Report No. 13-2004 of the Administration and Finance Committee) be rescinded:*

*“5) that #602 (Lynx) Wing Saskatoon R.C.A.F. Association be transferred to the phase-out program of Corporate Services for organizations not considered eligible for grant programs.”*

*2) that #602 (Lynx) Wing Saskatoon R.C.A.F. Association be granted a property tax exemption on the basis that all other veterans organizations have been exempted under Section 262 of The Cities Act; and*

*3) that the City Solicitor be requested to prepare the appropriate Bylaw to provide for this property tax exemption.*

**REPORT NO. 7-2006 OF THE EXECUTIVE COMMITTEE**

Composition of Committee

His Worship Mayor D. Atchison, Chair  
Councillor T. Alm  
Councillor D.L. Birkmaier  
Councillor B. Dubois  
Councillor O. Fortosky  
Councillor M. Heidt  
Councillor E. Hnatyshyn  
Councillor M. Neault  
Councillor T. Paulsen  
Councillor G. Penner  
Councillor G. Wyant

**1. Appointment to Library Board  
(File No. CK. 175-19)**

**RECOMMENDATION:** that Michael Murphy be appointed to the Library Board to the end of 2007, to replace Cindy Paquette.

*ADOPTED.*

There is one vacancy on the Library Board, due to the resignation of Ms. Cindy Paquette.

**2. Travel Expenses and Car Allowance – Councillors  
(File No. CK. 1970-1)**

**RECOMMENDATION:** that the information be received.

*ADOPTED.*

Section 3.4 of Policy No. C01-023, “City Councillors’ Travel and Training”, states that the City Clerk will, on an annual basis, prepare a report listing the total cost of Councillors’ combined travel and training from the Councillors’ Common Travel and Training Budget, and the total cost of each Councillor’s individual travel and training. Upon approval of the Councillors, the report is to be submitted to a City Council meeting.

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Each Councillor is allotted \$3,500 per year for general travel and training, such as attendance at the annual SUMA and FCM conferences. In addition, a Common Travel and Training Budget in the amount of \$3,500 is provided in order for a Councillor to attend annual conferences or board meetings of any organization on which he or she sits as an official representative of the City of Saskatoon, such as the Trans Canada Yellowhead Highway Association.

The following are the expenditures in 2005. Also included are the car allowance amounts paid since July 1, 2005.

Individual Travel and Training

Total Amount Budgeted	\$35,000.00
Total Amount Spent	\$ 17,045.84

Individual Expenditures

Councillor Alm	\$ 2,728.49
Councillor Birkmaier	\$ 181.90
Councillor Dubois	\$ 3,059.59
Councillor Fortosky	\$ 3,400.46
Councillor Heidt	\$ 320.88
Councillor Hnatyshyn	\$ 0
Councillor Neault	\$ 255.00
Councillor Paulsen	\$ 391.25
Councillor Penner	\$ 3,263.10
Councillor Wyant	\$ 3,445.17

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Combined Travel and Training

Total Amount Budgeted	\$ 3,500.00
Total Amount Spent	\$ 10,120.78
Councillor Birkmaier	\$ 2,021.55
Councillor Dubois	\$ 4,057.67
Councillor Fortosky	\$ 1,842.23
Councillor Hnatyshyn	\$ 2,199.33

Car Allowance

Total Amount Spent	\$ 7,052.75
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Individual Expenditures

Councillor Alm	\$ 1,543.50
Councillor Birkmaier	\$ 0
Councillor Dubois	\$ 1,178.00
Councillor Fortosky	\$ 0
Councillor Heidt	\$ 2,029.05
Councillor Hnatyshyn	\$ 0
Councillor Neault	\$ 389.25
Councillor Paulsen	\$ 466.20
Councillor Penner	\$ 341.10
Councillor Wyant	\$ 1,105.65

**3. Review of Liquor Regulations in Saskatchewan  
(File No. CK. 127-1)**

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**RECOMMENDATION:** 1) that, with respect to Issue No. 17, regarding alcohol in gift baskets, the City's recommendation be that gift shops be given the opportunity to include alcohol in gift baskets, as long as deliveries are handled by a source satisfactory to the Saskatchewan Liquor and Gaming Authority; and



- 2) that the recommendations contained in the report of the General Manager, Community Services Department dated March 24, 2006, including the above amendment, be submitted to the Saskatchewan Liquor and Gaming Authority for consideration in the current review of liquor regulations in Saskatchewan.

*ADOPTED.*

Your Committee has reviewed the attached report of the General Manager, Community Services Department dated March 24, 2006, and submits the above recommendations.”

*Moved by Councillor Heidt, Seconded by Councillor Alm,*

*THAT the report of the Committee of the Whole be adopted.*

*CARRIED.*

*His Worship the Mayor assumed the Chair.*

### **COMMUNICATIONS TO COUNCIL**

The following communications were submitted and dealt with as stated:

#### **B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL**

- 1) **Paul Moist, National President**  
**Canadian Union of Public Employees, dated March 13**

Requesting support for a national child care program. (File No. CK. 155-2)

**RECOMMENDATION:** that the direction of Council issue.

*Moved by Councillor Alm, Seconded by Councillor Heidt,*

*THAT the information be received and that the letter be forwarded to Communities for Children.*

*CARRIED.*

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**2) Gerhard H. Freund, dated March 31**

Requesting that Council limit the number of taverns/pubs in the Broadway Area to five. (File No. CK. 4000-12)

**RECOMMENDATION:** that the direction of Council issue.

*Moved by Councillor Hnatyshyn, Seconded by Councillor Penner,*

*THAT the letter be forwarded to the Administration.*

*CARRIED.*

**3) Matt Baraniecki, President  
Canadian Union of Public Employees, Local 59, dated March 17**

Requesting permission and participation from a representative of Council in a ceremony to raise the Day of Mourning flag on Friday, April 28, 2006 at City Hall. (File No. CK. 205-5)

**RECOMMENDATION:** that the Canadian Union of Public Employees, Local 59, be granted permission to raise the Day of Mourning flag on Friday, April 28, 2006 at City Hall and that the request for representation from Council be referred to the Office of the Mayor.

*Moved by Councillor Penner, Seconded by Councillor Dubois,*

*THAT the Canadian Union of Public Employees, Local 59, be granted permission to raise the Day of Mourning flag on Friday, April 28, 2006 at City Hall and that the request for representation from Council be referred to the Office of the Mayor.*

*CARRIED.*

**4) Mayor Don Schlosser, President  
Saskatchewan Urban Municipalities Association (SUMA), dated March 30**

Submitting an invoice for the 2006 SUMA Membership Fees in the amount of \$119,692.98. (File No. CK. 155-3)

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**RECOMMENDATION:** that the 2006 Membership Fees for the Saskatchewan Urban Municipalities Association be paid in the amount of \$119,692.98.

*Moved by Councillor Paulsen, Seconded by Councillor Dubois,*

*THAT the 2006 Membership Fees for the Saskatchewan Urban Municipalities Association be paid in the amount of \$119,692.98.*

*CARRIED.*

**5) Fern Larner, Executive Assistant**  
**Credit Union Centre, dated March 28**

Submitting Notice of Annual Members Meeting of the Saskatchewan Place Association Inc. to be held on Wednesday, May 3, 2006. (File No. CK. 175-31)

**RECOMMENDATION:** that the City of Saskatoon, being a member of the Saskatchewan Place Association Inc., appoint Donald Atchison, or in his absence Owen Fortosky or Myles Heidt, of the City of Saskatoon, in the Province of Saskatchewan, as its proxy to vote for it on its behalf at the Annual Members' Meeting of the Saskatchewan Place Association Inc., to be held on May 3, 2006, or at any adjournment or adjournments thereof.

*Moved by Councillor Birkmaier, Seconded by Councillor Penner,*

*THAT the City of Saskatoon, being a member of the Saskatchewan Place Association Inc., appoint Donald Atchison, or in his absence Owen Fortosky or Myles Heidt, of the City of Saskatoon, in the Province of Saskatchewan, as its proxy to vote for it on its behalf at the Annual Members' Meeting of the Saskatchewan Place Association Inc., to be held on May 3, 2006, or at any adjournment or adjournments thereof.*

*CARRIED.*

**C. INFORMATION ITEMS**

**1) Ken Wood, Executive Director**  
**Credit Union Centre, dated March 22**

Submitting a response to Councillor Hnatyshyn's enquiry with respect to exclusive pouring rights. (File No. CK. 175-1)

**2) Rob Jones, Executive Director**

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**TCU Place, dated March 22**

Submitting a response to Councillor Hnatyshyn's enquiry with respect to exclusive pouring rights. (File No. CK. 175-1)

**3) Lyle Hirkala, dated March 24**

Submitting comments with respect to the cost of transit services. (File No. CK. 7300-1)

**4) Robin Wanner, dated March 26**

Submitting comments of appreciation with respect to snow removal in the city. (File No. CK. 6290-1)

**5) Todd Brandt, Co-Chair  
2007 Juno Awards, dated March 29**

Submitting information on the activities that are taking place with respect to the 2007 Juno Awards in Saskatoon. (File No. CK. 205-1)

**6) Hilary Clark, dated April 2**

Submitting comments of support for the expansion at the Mendel Art Gallery. (File No. 620-1)

**7) Odette Nicholson, dated April 3**

Submitting comments of support for the expansion at the Mendel Art Gallery. (File No. 620-1)

**8) Joe Kuchta, dated April 3**

Submitting comments with respect to the Federal Centennial Funding. (File No. CK. 1860-1)

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9) **Darwin Gardypie, dated April 3**

Submitting comments with respect to commercial development on the west side of the city. (File No. CK. 150-1)

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Penner, Seconded by Councillor Dubois,*

*THAT the information be received.*

*CARRIED.*

**D. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION**

1) **Kelly Walls, dated March 22**

Submitting comments with respect to the red light camera located on Circle Drive and Avenue C. (File No. CK. 5300-8) **(Referred to the Administration to respond to the writer.)**

2) **Ken Stevens, dated March 27**

Submitting comments with respect to snow removal and meter readings. (File No. CK. 6150-1) **(Referred to the Administration to respond to the writer.)**

3) **Scott MacKay  
EnerMac Consultants Inc., dated March 28**

Submitting information with respect to KOMPOGAS, a process to make methane (natural gas) from garbage before it goes into the landfill. (File No. CK. 375-4) **(Referred to the Administration.)**

4) **Marvin McNabb, dated March 30**

Submitting comments with respect to street maintenance. (File No. CK. 7820-5) **(Referred to the Administration to respond to the writer.)**

5) **Michael Will, President**  
**Friends of Saskatchewan Children Inc., dated March 17**

Expressing concerns with respect to the property tax assessment for Ronald McDonald House. (File No. CK. 1920-1) **(Referred to the Administration and Finance Committee.)**

6) **Hon. Harry Van Mulligen**  
**Minister of Government Relations, dated March 30**

Submitting comments with respect to creation of a property subclass for not-for-profit co-operative housing. (File No. CK. 1920-1) **(Referred to the Administration and Finance Committee.)**

**RECOMMENDATION:** that the information be received.

*Moved by Councillor Paulsen, Seconded by Councillor Alm,*

*THAT the information be received.*

*CARRIED.*

**E. PROCLAMATIONS**

1) **Don Gorsalitz, Chair**  
**Leave a Legacy Saskatoon 2006, dated March 20**

Requesting Council proclaim May 28 to June 3, 2006 as Leave a Legacy Week in Saskatoon. (File No. CK. 205-5)

2) **Phyllis Hallatt, President**  
**Child Find Saskatchewan, dated March 13**

Requesting Council proclaim May 2006 as Missing Children's Month in Saskatoon. (File No. CK. 205-5)

3) **Sutapa Adelman, Coordinator for Saskatchewan**  
**World Harmony Run, dated March 29**

Requesting Council proclaim May 4, 2006 as World Harmony Day in Saskatoon. (File No. CK. 205-5)

4) **Audrey Gullickson**

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**Caregiver Information Centre, dated March 30**

Requesting Council proclaim May 22 – 26, 2006 as Saskatoon Celebrates Caregivers Week. (File No. CK. 205-5)

**5) Mark Keller, Branch Manager  
Water and Wastewater Treatment, dated March 30**

Requesting Council proclaim May 7 – 13, 2006 as Drinking Water Week in Saskatoon. (File No. CK. 205-5)

**6) Gayle Mast  
Canadian Mental Health Association (Saskatoon Branch), dated March 30**

Requesting Council proclaim May 1 – 7, 2006 as Mental Health Week in Saskatoon. (File No. CK. 205-5)

**7) Darren Williams  
Rotary Clubs of Saskatoon, dated April 4**

Requesting Council proclaim April 24 – 28, 2006 as Rotary Week in Saskatoon and requesting permission and participation from a representative of Council in a ceremony to raise the their flag on Monday, April 24, 2006 at City Hall. (File No. CK. 205-5)

**8) Chamundi Eswari Selvaraj, President  
Sri Sathya Sai Baba Centre of Saskatoon, dated April 3**

Requesting Council proclaim May 28, 2006 as Human Values Day in Saskatoon. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that City Council approve all proclamations as set out in Section E;
  - 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council; and

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- 3) that permission be granted to the Rotary Clubs of Saskatoon to raise their flag at City Hall on Monday, April 24, 2006 and that their request for Council representation at the ceremony be referred to the Office of the Mayor.

*Moved by Councillor Dubois, Seconded by Councillor Penner,*

- 1) *that City Council approve all proclamations as set out in Section E;*
- 2) *that the City Clerk be authorized to sign the proclamations on behalf of City Council; and*
- 3) *that permission be granted to the Rotary Clubs of Saskatoon to raise their flag at City Hall on Monday, April 24, 2006 and that their request for Council representation at the ceremony be referred to the Office of the Mayor.*

**CARRIED.**

**MOTIONS**

Councillor Birkmaier gave the following Notice of Motion at the meeting of City Council held on March 27, 2006:

“TAKE NOTICE that at the next regular meeting of City Council I will move the following motion:

“THAT the City of Saskatoon recognize the honour bestowed on our City as the “Cultural Capital of Canada” wherever appropriate and further that the City encourage other committees, boards and organizations associated with the City to also enhance the recognition.”

*Moved by Councillor Birkmaier, Seconded by Councillor Alm,*

*THAT the City of Saskatoon recognize the honour bestowed on our City as the “Cultural Capital of Canada” wherever appropriate and further that the City encourage other committees, boards and organizations associated with the City to also enhance the recognition.*

**CARRIED.**

Councillor Birkmaier gave the following Notice of Motion at the meeting of City Council held on March 27, 2006:



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“TAKE NOTICE that at the next regular meeting of City Council I will move the following motion:

‘THAT City Council ask the Mayor to create an action Task Force to address sexual abuse and exploitation of children and youth in the city of Saskatoon.’”

*Moved by Councillor Birkmaier, Seconded by Councillor Neault,*

*THAT City Council ask the Mayor to create an action Task Force to address sexual abuse and exploitation of children and youth in the city of Saskatoon.*

*IN REFERRAL*

*Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,*

*THAT the matter be referred to the Executive Committee to create an action plan with respect to the recommendations of the report of the Mayor’s Task Force on Child Prostitution dated March 1996.*

*THE REFERRAL MOTION WAS PUT AND CARRIED.*

**HEARINGS**

- 4a) Proposed Zoning Bylaw Text Amendment  
Amend Definition of Neighbourhood Recycling Depot  
Applicant: Kevin Acton, SARCAN Recycling  
Proposed Bylaw No. 8493  
(File No. CK. 4350-1)**

**REPORT OF THE CITY CLERK:**

“The purpose of this hearing is to consider proposed Bylaw No. 8493, a copy of which is attached.

Attached is a report of the General Manager, Community Services Department dated February 22, 2006 recommending that the proposed Zoning Bylaw text amendment regarding the definition of ‘neighbourhood recycling collection depot’ be approved.

Attached is a report of the Municipal Planning Commission dated March 27, 2006 advising the Commission supports the above-noted recommendation.

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Also attached is the notice that appeared in the local press under dates of March 18 and March 25, 2006.”

*His Worship the Mayor opened the hearing.*

*Mr. Randy Grauer, Community Services Department, expressed the Department’s support of the proposed Zoning Bylaw Amendment.*

*Mr. John Waddington, Chair, Municipal Planning Commission, expressed the Commission’s support of the proposed Zoning Bylaw Amendment.*

*Mr. Doug Murray expressed support for the paint recycling program.*

*Mr. Kevin Acton, SARCAN Recycling, provided information on the paint recycling program in Saskatchewan and asked that Council consider proposed Bylaw No. 8493.*

*Moved by Councillor Alm, Seconded by Councillor Dubois,*

*THAT the hearing be closed.*

**CARRIED.**

*Moved by Councillor Penner, Seconded by Councillor Neault,*

*THAT Council consider Bylaw No. 8493.*

**CARRIED.**

**MATTERS REQUIRING PUBLIC NOTICE**

**5a) Debenture Issuance  
(File No. 1750-1)**

**REPORT OF THE CITY CLERK:**

“The following is a report of the General Manager, Corporate Services Department dated March 30, 2006:

**RECOMMENDATION:** that City Council authorize borrowing up to \$43,960,000 to finance the following projects approved, in principle, through capital budgets and capital plans:

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- a) \$4,153,000 for River Landing 1 (P1786), to finance, primarily, the completion of required roadways, streetscape, lighting, sculptures, and a landmark at the terminus of 2<sup>nd</sup> Avenue;
- b) \$8,556,000 for River Landing 2 (P1787), to finance a portion of redevelopment of the former A. L. Cole site and area into an urban riverfront that includes parks, a farmers' market, a business incubator, a community square, and various opportunities for residential and commercial developments;
- c) \$2,760,000 for River Landing Park, Phase 1 (P1788), to assist with the development of the riverfront park and features adjacent to the River Landing 1 development;
- d) \$12,391,000 for the construction and completion of the Circle Drive/College Drive Interchange; and,
- e) \$16,100,000 for the widening of Circle Drive from Attridge Drive to Millar Avenue, including the addition of a third lane, in each direction, across the Circle Drive Bridge.

**REPORT**

The above-noted projects are included in the 2005 Capital Budget, the 2006 Capital Budget, and the 2007-2010 Capital Plan. Through its Capital Budget deliberations, City Council has authorized these projects to proceed, subject to a Public Notice Hearing for borrowing. While some expenditures have already been incurred, no borrowing has been undertaken pending this Public Hearing. It should also be noted that while authorization is being requested for the full borrowing requirements for all of these projects, actual borrowing will occur based on cash flow requirements and/or prevailing market conditions.

City Council should also be aware that the Administration will follow its existing practice with respect to borrowing. Once an Administrative decision has been made to borrow, Council will be requested to authorize the General Manager to effect that borrowing within specified ranges (interest rates, for example). Once a borrowing

has occurred, the Administration will draft and present a borrowing bylaw, with all of the relevant data related to the transaction, for Council's approval.

### **OPTIONS**

The alternative option is not to proceed with the construction of the various capital projects noted above.

### **POLICY IMPLICATIONS**

There are no policy implications.

### **FINANCIAL IMPACT**

The requested borrowing is being proposed within the long-term capital financing strategy City Council has put in place, which includes:

- dedication of a share of our annual assessment growth to the funding of, and repayment of debt for, the construction of major recreational and cultural facilities;
- dedication of the GST incremental rebate to the funding of, or the repayment of debt incurred for, the River Landing project; and
- dedication of the federal gas tax revenues to the funding of, or repayment of debt for, major transportation capital projects.

It should be noted that there is no mill rate increase required to complete this borrowing.

### **PUBLIC NOTICE**

Public Notice is required for consideration of this matter, pursuant to Section 3e) of Policy No. C01-021 (The Public Notice Policy). The following notice was given:

- Advertised in the *Saskatoon StarPhoenix* on Saturday, April 1 and Saturday, April 8, 2006, and in the *Saskatoon Sun* on Sunday, April 2 and Sunday, April 9, 2006. Posted on City Hall Notice Board on April 3, 2006. Posted on City Website on March 31, 2006.

ATTACHMENT

1. Photocopy of Public Notice.”

*His Worship the Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter.*

*Moved by Councillor Penner, Seconded by Councillor Wyant,*

*THAT City Council authorize borrowing up to \$43,960,000 to finance the following projects approved, in principle, through capital budgets and capital plans:*

- a) \$4,153,000 for River Landing 1 (P1786), to finance, primarily, the completion of required roadways, streetscape, lighting, sculptures, and a landmark at the terminus of 2<sup>nd</sup> Avenue;*
- b) \$8,556,000 for River Landing 2 (P1787), to finance a portion of redevelopment of the former A. L. Cole site and area into an urban riverfront that includes parks, a farmers’ market, a business incubator, a community square, and various opportunities for residential and commercial developments;*
- c) \$2,760,000 for River Landing Park, Phase 1 (P1788), to assist with the development of the riverfront park and features adjacent to the River Landing 1 development;*
- d) \$12,391,000 for the construction and completion of the Circle Drive/College Drive Interchange; and,*
- e) \$16,100,000 for the widening of Circle Drive from Attridge Drive to Millar Avenue, including the addition of a third lane, in each direction, across the Circle Drive Bridge.*

*CARRIED.*

- 5b) Proposed Direct Sale  
219 Avenue K South  
File No.: PL 4131 – 32**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Community Services Department dated March 30, 2006:

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**RECOMMENDATION:** that City Council authorize the direct sale of Lots 26 to 32; Block 7; Plan 1774 (219 Avenue K South), and a portion of 1120 - 20<sup>th</sup> Street West to the Saskatchewan Housing Corporation for a total purchase price of \$1, subject to conditions outlined in this report, for the development of a multiple-unit dwelling, offices, and a potential library.

**BACKGROUND**

City Council, at its meeting held on October 3, 2005 resolved, in part:

“that City Council exercise the Option to Purchase Agreement regarding the property at 1120 – 20<sup>th</sup> Street West.”

City Council, at its meeting held on October 31, 2005 resolved:

- “1) that City Council endorse the concept plan as shown on Attachment 2;
- 2) that City Council authorize the environmental cleanup of the sites at 218 Avenue L South and 219 Avenue K South to a residential Canadian Council of Ministers for the Environment (CCME) standard;
- 3) that City Council authorize the environmental cleanup of 1120 – 20<sup>th</sup> Street West to a commercial CCME standard; and
- 4) that City Council authorize the demolition of the existing vacant warehouse building at 218 Avenue L South.”

On January 9, 2006 City Council approved the demolition of the existing building at 1120 - 20<sup>th</sup> Street West (former DJs nightclub and pawn shop).

On January 23, 2006 City Council authorized the Direct Sale of the land at 218 Avenue L South to the Saskatchewan Housing Corporation for the construction of a multiple-unit dwelling.

**REPORT**

The City of Saskatoon's Land Branch has purchased the land and building at 1120 - 20<sup>th</sup> Street West in accordance with City Council's October 3, 2005 resolution. The City of Saskatoon now owns all three sites, which make up the 'Station 20 West' Project (218 Avenue L South, 219 Avenue K South and 1120 20<sup>th</sup> Street West). The QUINT Development Corporation has been offered the right of first refusal on 1120 - 20<sup>th</sup> Street West until June 30, 2006 for a grocery store and community enterprise centre.

The Administration has met recently with representatives of the Saskatchewan Housing Corporation, QUINT Development Corporation, and CHEP to discuss their participation in the Station 20 West Project. Saskatchewan Housing has indicated that they are interested in acquiring the site at 219 Avenue K South, and the adjacent former lane (refer to Attachment 1) to construct a multiple-unit dwelling, office space and a potential library in accordance with the concept plan adopted by City Council on October 31, 2005.

It is Saskatchewan Housing's desire to commence with construction of a multiple-unit dwelling as soon as possible in the 2006 construction season.

On January 23, 2006, City Council adopted a recommendation, which approved the direct sale of 218 Avenue L South to the Saskatchewan Housing Corporation. A sales agreement has been prepared and is pending the outcome of discussions with QUINT over a suitable property line. A suitable property line has been determined, and a direct sale to Saskatchewan Housing can proceed.

The City of Saskatoon's Land Branch will prepare a formal written offer to Saskatchewan Housing offering the site at 219 Avenue K South and the former lane for a total purchase price of \$1, plus development charges estimated to be \$110,000. The written offer includes the following conditions:

1. Approval by City Council to authorize a direct sale to Saskatchewan Housing Corp.;
2. City of Saskatoon to complete site remediation to CCME residential standards;
3. Saskatchewan Housing to undertake development, which is in general accordance with the design and intent of the adopted concept plan for the site; and,
4. the payment of all applicable development charges for the subject property.

The site's tax title value is estimated at \$56,500 plus site remediation (\$124,800) for an estimated book value of \$181,300.

**PUBLIC NOTICE**

Public Notice is required for consideration of this matter, pursuant to Section 3 i) of Policy C01-021, The Public Notice Policy. The following notice will be given:

- published twice in both *The StarPhoenix* and *The Saskatoon Sun* on Saturday, April 1, 2006; Sunday, April 2, 2006; Saturday, April 8, 2006; and Sunday, April 9, 2006.

**ATTACHMENTS**

1. Location Plan; and
2. Photocopy of Public Notice.”

*His Worship the Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter.*

*Moved by Councillor Wyant, Seconded by Councillor Dubois,*

*THAT City Council authorize the direct sale of Lots 26 to 32; Block 7; Plan 1774 (219 Avenue K South), and a portion of 1120 - 20<sup>th</sup> Street West to the Saskatchewan Housing Corporation for a total purchase price of \$1, subject to conditions outlined in this report, for the development of a multiple-unit dwelling, offices, and a potential library.*

**IN AMENDMENT**

*AND that the Library Board be given the first right of refusal for the property.*

*THE AMENDMENT WAS PUT AND CARRIED.  
THE MAIN MOTION AS AMENDED WAS PUT AND CARRIED.*

**COMMUNICATIONS TO COUNCIL - CONTINUED**

**A. REQUESTS TO SPEAK TO COUNCIL**

- 1) **Dan Pennock, Civics Director  
Nutana Community Association, dated April 10**

Requesting permission to address Council with respect to the issue concerning zoning requirements for lounges. (File No. CK. 4350-1)



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**RECOMMENDATION:** that Clause A6, Administrative Report No. 7-2006 be brought forward and that Dan Pennock be heard.

*Moved by Councillor Wyant, Seconded by Councillor Paulsen,*

*THAT Clause A6, Administrative Report No. 7-2006 be brought forward and that Dan Pennock be heard.*

*CARRIED.*

**“ADMINISTRATIVE REPORT NO. 7-2006**

**A6) Enquiry – Councillor E. Hnatyshyn (March 13, 2006)  
Zoning Requirements – Licensed Beverage Room  
(File No. CK. 4350-1)**

**RECOMMENDATION:** that the information be received.

**BACKGROUND**

The following enquiry was made by Councillor Hnatyshyn at the meeting of City Council held on March 13, 2006:

“Would administration please report on the feasibility of amending commercial zoning to require City approval to open a licensed beverage room.”

**EXECUTIVE SUMMARY**

In general, the establishment of a new or expanded night club or tavern requires the discretionary approval of City Council in all areas of the city except for the downtown and heavy industrial areas where such activities are a permitted use. Licensed restaurants and lounges are permitted uses in most commercial and industrial areas of the city.

It has been the experience within the Community Services Department that complaints regarding licensed establishments are generated primarily by large night clubs or taverns. Negative land use impacts related to billiard halls, lounges, or licensed restaurants are very rare; therefore, it is the opinion within the Community Services Department that the existing zoning treatment for licensed facilities is not in need of amendment at this time.

If City Council is concerned that licensed lounges require a greater degree of regulation where they may impact residential areas, the Zoning Bylaw could be amended to make such uses discretionary, for example, in the B2 Zoning District. Increased regulation of licensed restaurants is not

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recommended due to the impact on the hospitality industry and the lack of a complaint history for this type of use.

**REPORT**

City of Saskatoon Zoning Regulations

The current regulations related to the sale of beverage alcohol to the public for consumption on the premises is provided for in the Zoning Bylaw primarily under the use categories of Night Club, Tavern, Commercial Recreation Use, Lounge, and Restaurant. These uses are defined as follows:

1. **Night Club** – means an establishment where evening or nighttime entertainment is provided, where alcohol may be served, and where a designated area for live entertainment or dancing is also provided. A brewpub may be considered a night club.
2. **Tavern** – means an establishment where alcohol may be served and where no live entertainment or dance floor is permitted. A brewpub may be considered a tavern.
3. **Commercial Recreation Use** – means a place for indoor or outdoor sports or other leisure time activities. (For the purpose of this report, this use would include billiard halls, indoor golf ranges and other similar uses.)
4. **Lounge** – means an area adjoining a restaurant where alcohol may be served and where no area has been set aside for dancing or entertainment either in the lounge or in the adjoining restaurant.
5. **Restaurant** – means a place where food is prepared and served to patrons. (Please note, this definition does not differentiate between restaurants that are licensed to serve beverage alcohol and those which are not.)  
Please refer to Attachment 1 – Zoning Bylaw Definitions, for specific definitions of the above noted uses.

These uses may be developed as either a permitted or discretionary use in the following zoning districts:

**a) Night Club and Tavern**

- Permitted Use – B6, IH, RA1, and in M4 Districts when located in a hotel or motel having at least 100 guest rooms and having access only from the interior of the building.
- Discretionary Use – B3, B4, B5, IL1 Districts, and in M3 when located in a hotel.

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**b) Commercial Recreation Use**

- Permitted Use – B3, B4, B5, B6, IL1, RA1, and MX1 Districts.
- Discretionary Use – None.

**c) Lounge (in conjunction with a restaurant)**

- Permitted Use – B3, B4, B5, B6, IL1, IH, IB, RA1, MX1 Districts, and B2 District subject to a maximum area of 50% of the public assembly area of the adjoining restaurant, or 100 square metres (whichever is less), and M3 and M4 Districts when located in a hotel or motel having at least 100 guest rooms and having access only from the interior of the building.
- Discretionary Use – B1B District.

**d) Restaurant**

- Permitted Use – B2, B3, B4, B5, B6, IL1, IH, IB, RA1, MX1, and in the B1B District subject to a maximum building floor area of 325 square metres, and M3 and M4 Districts when located in a hotel or motel having at least 100 guest rooms and having access only from the interior of the building.
- Discretionary Use – B1 District subject to a maximum building floor area of 190 square metres.

Outdoor decks or patios may be developed in conjunction with beverage alcohol serving establishments provided they are located in a manner which does not encroach into required setback areas, parking or loading spaces, or landscaping areas, and provided they have not been prohibited as a condition of discretionary use approval. Consideration could be given to amending the Zoning Bylaw to including additional requirements for the location and development of decks and patios to minimize potential land use conflicts.

Saskatchewan Liquor and Gaming Authority Licensing Requirements

In addition to the City of Saskatoon's zoning requirements, the Saskatchewan Liquor and Gaming Authority (SLGA) regulates beverage alcohol serving facilities. SLGA issues Restaurant, Tavern and Special Use Permits. In addition, they have a number of subcategories, which are referred to as endorsements. (Please refer to Attachment 2 – SLGA Permit Types – Requirements and Endorsement Categories.)

SLGA requires municipal approval for all new licensed facilities including taverns, special use facilities, restaurants, lounges, and sidewalk cafés. In situations where these uses require discretionary use approval, City Council approval serves this purpose. In all other instances, City Council has delegated municipal approval to the Administration who reviews applications for compliance with zoning and other municipal requirements.

SLGA is mandated with the overall responsibility of approving and regulating beverage alcohol serving establishments. Municipal review and approval is intended to address land use issues. It is important to ensure that these respective areas of responsibility remain separate and distinct.

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It has been the experience within the Community Services Department that complaints regarding beverage alcohol serving establishments are generated primarily by large night clubs or taverns, or in areas where there is a significant concentration of these uses. Complaints or negative land use impacts related to the operation of commercial recreation uses, lounges, or licensed restaurants are very rare.

SLGA is currently undertaking a review of liquor regulations in the province. A discussion paper is currently being prepared by the administration and will be brought forward to City Council in the near future.

For the above noted reasons, it is the opinion within the Community Services Department that the existing Zoning Bylaw treatment for beverage alcohol serving facilities is appropriate and should not be amended at this time. If City Council wishes to place a greater degree of control over lounges where they may impact residential areas, the Zoning Bylaw could be amended to make this use discretionary in the B2 Zoning District. B2 Districts are often located in or near residential areas. Increased regulation of licensed restaurants is not recommended at this time due to the impact on the hospitality industry and the lack of a complaint history for this type of use.

It is the Community Services Department's intention to review zoning issues after SLGA revises their liquor regulations to ensure that the Zoning Bylaw requirements remain consistent with Provincial regulations and appropriate to the needs of the community.

### **PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

### **ATTACHMENTS**

1. Zoning Bylaw Definitions
2. SLGA Permit Types – Requirements and Endorsement Categories”

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*Mr. Dan Pennock, Civics Coordinator, Nutana Community Association, expressed concerns with respect to licensed establishments in residential areas and asked that areas zoned B2 become applicable to discretionary use for a licensed establishment.*

*Moved by Councillor Hnatyshyn, Seconded by Councillor Penner,*

*THAT the matter be referred to the Administration to report on incorporating discretionary use for licensed establishments in the B1 to B4 zoning districts.*

*CARRIED.*

**ENQUIRIES**

**Councillor D. L. Birkmaier  
Crime and Disorder Reduction Strategy  
(File No. CK. 5000-1)**

Last week Councillor Neault and I, along with members of the Administration and City Police, attended a Safe Streets-Safe Cities Conference in Calgary. The conference included a presentation on a Crime & Reduction Strategy which has been implemented in the beltline communities in Calgary.

Would the Administration please include consideration of whether a model of this strategy should be implemented in Saskatoon, in the report which the Administration is preparing for Executive Committee on safe city issues.

**Councillor T. Alm  
Proposed Crosswalk  
Clarence Avenue between Wilson Crescent and Calder Avenue  
(File No. CK. 6150-1)**

Would the Administration please investigate the possibility of installing a crosswalk across Clarence Avenue somewhere between Wilson Crescent and Calder Avenue. The speed of traffic coming off Circle Drive, and the volume of cars makes it difficult for pedestrians to cross Clarence Avenue.

**Councillor O. Fortosky**

**Rating of Live Shows  
(File No. CK. 205-1)**

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Would the Administration, through Credit Union Centre and TCU Place, please report on how live shows that come to the City of Saskatoon are rated. A recent concert featured a lot of sexually explicit behaviour as well as actions degrading to women that caused a lot of concern for parents of children under eighteen years of age who were not aware of the content.

**Councillor G. Penner  
Proposed Crosswalk – Degeer Street and Mckercher Drive  
(File No. CK. 6150-1)**

---

Could I have a report regarding a crosswalk being installed at the intersection of Degeer Street and McKercher.

**INTRODUCTION AND CONSIDERATION OF BYLAWS**

**Bylaw 8493**

Moved by Councillor Heidt, seconded by Councillor Alm,

THAT permission be granted to introduce Bylaw No. 8493, being “The Zoning Amendment Bylaw, 2006 (No. 5)”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT Bylaw No. 8493 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Heidt, Seconded by Councillor Neault,

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THAT Council go into Committee of the Whole to consider Bylaw No. 8493.

CARRIED.

Council went into Committee of the Whole with Councillor Heidt in the Chair.

Committee arose.

Councillor Heidt, Chair of the Committee of the Whole, made the following report:

That while in Committee of the Whole, Bylaw No. 8493 was considered clause by clause and approved.

Moved by Councillor Heidt, Seconded by Councillor Birkmaier,

THAT the report of the Committee of the Whole be adopted.

CARRIED.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8493 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

THAT Bylaw No. 8493 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

*Moved by Councillor Heidt,*

*THAT the meeting stand adjourned.*

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*CARRIED.*

*The meeting adjourned at 8:12 p.m.*

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*Mayor*

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*City Clerk*